

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Cleone Cecelia Friday,

Civ. No. 23-882 (PAM/ECW)

Petitioner,

v.

**MEMORANDUM AND ORDER**

Michael Segal, Warden,

Respondent.

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This matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Elizabeth Cowan Wright dated May 1, 2023. (Docket No. 4.) The R&R recommends that Petitioner Cleone Cecelia Friday’s Petition for a Writ of Habeas Corpus be denied and this matter dismissed. Friday filed a timely objection to the R&R. (Docket No. 7.)

This Court must review de novo any portion of an R&R to which specific objections are made. 28 U.S.C. § 636(b)(1); D. Minn. L.R. 72.2(b). After conducting the required review and for the following reasons, the Court **ADOPTS** the R&R. (Docket No. 4.)

Friday contends that the R&R erred in concluding that the Bureau of Prisons is correctly calculating the time credits Friday has earned for taking certain programming in the institution. But although Friday believes that the BOP is misapplying the statute, every court, including the decision on which she relies, has agreed with the BOP’s interpretation that prisoners are entitled to 10 (or 15) days of credit per month of programming in which they participate, not 10 or 15 days of credit per class. (R&R at 2.) Indeed, as one Magistrate Judge in this District has noted, Friday’s interpretation of the statute “would

lead to absurd results” because a federal prisoner subject to a long-term sentence who enrolled in a large number of classes might be entitled to release after only a few months. Rice v. Segal, No. 23cv751 (ECT/DJF), Dkt. No. 6 at 3 (D. Minn. Apr. 24, 2023).

Moreover, even if the Court disagrees with the BOP’s interpretation of the statute, that interpretation is reasonable. Thus, under well-settled precedent, the Court must defer to it. Entergy Corp. v. Riverkeeper, Inc., 556 U.S. 208, 218 (2009). As the R&R correctly concluded, Friday is not entitled to habeas-corpus relief.

Accordingly, **IT IS HEREBY ORDERED that:**

1. The R&R (Docket No. 13) is **ADOPTED**;
2. The Petition for a Writ of Habeas Corpus (Docket No. 1) is **DENIED**; and
3. This matter is **DISMISSED**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: May 9, 2023

*s/Paul A. Magnuson*  
Paul A. Magnuson  
United States District Court Judge